

By: Senator(s) Mettetal

To: Business and Financial
Institutions

SENATE BILL NO. 2722

1 AN ACT TO REENACT SECTIONS 75-67-501 THROUGH 75-67-537,
2 MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI CHECK CASHERS
3 ACT; TO AMEND REENACTED SECTION 75-67-505, MISSISSIPPI CODE OF
4 1972, TO DELETE PROVISIONS THAT ALLOW THE CHANGE OF OWNERSHIP OF A
5 LICENSED CHECK CASHING BUSINESS WITHOUT OBTAINING A NEW LICENSE
6 FOR THE BUSINESS; TO REPEAL SECTION 75-67-539, MISSISSIPPI CODE OF
7 1972, WHICH IS A REPEALER ON THE CHECK CASHERS ACT; AND FOR
8 RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 75-67-501, Mississippi Code of 1972, is
11 reenacted as follows:

12 75-67-501. This article shall be known and may be cited as
13 the "Mississippi Check Cashers Act."

14 **SECTION 2.** Section 75-67-503, Mississippi Code of 1972, is
15 reenacted as follows:

16 75-67-503. The following words and phrases used in this
17 article shall have the following meanings unless the context
18 clearly indicates otherwise:

19 (a) "Appropriate law enforcement agency" means the
20 sheriff of each county in which the licensee maintains an office,
21 or the police chief of the municipality in which the licensee
22 maintains an office, or law enforcement officers of the Department
23 of Public Safety.

24 (b) "Attorney General" means the Attorney General of
25 the State of Mississippi.

26 (c) "Check" means any check, draft, money order,
27 personal money order, pre-authorized customer draft, or other
28 instrument for the transmission or payment of money as determined
29 by the Commissioner of Banking and Consumer Finance, but shall not
30 include travelers checks or foreign drawn payment instruments.

31 (d) A "check casher" means any individual, partnership,
32 association, joint stock association, trust or corporation,
33 excluding the United States Government and the government of this
34 state, who exchanges cash or other value for any check, draft,
35 money order, personal money order, or other instrument for the
36 transmission or payment of money, except travelers checks and
37 foreign drawn payment instruments, and who charges a fee therefor.

38 (e) "Commissioner" means the Mississippi Commissioner
39 of Banking and Consumer Finance, or his designee, as the
40 designated official for the purpose of enforcing this article.

41 (f) "Department" means the Department of Banking and
42 Consumer Finance.

43 (g) "Licensee" means any individual, partnership,
44 association or corporation duly licensed by the Department of
45 Banking and Consumer Finance to engage in the business of cashing
46 checks under this article.

47 (h) "Person" means an individual, partnership,
48 corporation, joint venture, trust, association or any legal entity
49 however organized.

50 (i) "Personal money order" means any instrument for the
51 transmission or payment of money in relation to which the
52 purchaser or remitter appoints or purports to appoint the seller
53 thereof as his agent for the receipt, transmission or handling of
54 money, whether such instrument is signed by the seller or by the
55 purchaser or remitter or some other person.

56 **SECTION 3.** Section 75-67-505, Mississippi Code of 1972, is
57 reenacted and amended as follows:

58 75-67-505. (1) (a) A person may not engage in business as
59 a check casher or otherwise portray himself as a check casher
60 unless the person has a valid license authorizing engagement in
61 the business. A separate license is required for each place of
62 business under this article and each business must be independent
63 of, and not a part of, any other business operation. A check

64 cashing business shall not be a part of, or located at the same
65 business address with, a pawnshop, title pledge office and small
66 loan company.

67 (b) A check cashing business shall (i) have a
68 definitive United States Postal address and E911 address; (ii)
69 comply with local zoning requirements; (iii) have a minimum of one
70 hundred (100) square feet with walls from floor to ceiling
71 separating the operation from any other businesses; (iv) have an
72 outside entrance, but may be located in an area that has a common
73 lobby shared by other businesses as long as the customers do not
74 enter the check cashing business through another business; (v)
75 have proper signage; and (vi) maintain separate books and records.
76 Any licensee who does not cash any delayed deposit checks as
77 authorized under Section 75-67-519 shall not be subject to the
78 requirements of subparagraphs (i), (iii) and (iv) of this
79 paragraph.

80 (c) A licensed check casher may sell, at the same
81 location as his check cashing business, the following items and
82 services: money orders; income tax preparation service; copy
83 service; wire transfer service; notary service; pagers; pager
84 service; prepaid cellular service; debit card; prepaid telephone
85 cards; prepaid telephone service; and operate a processing center
86 where utility bills, credit card payments and other payments are
87 collected from the general public and governmental and private
88 payments are distributed. In the event a licensee accepts wire
89 transfers in the form of a direct deposit of a payroll check or
90 other similar types of deposit, the licensee shall not encumber
91 any transferred funds against a deferred deposit agreement or any
92 delinquent deferred deposit agreement with such customer. The
93 commissioner may authorize additional functions in addition to
94 those provided in this subsection that may be performed as part of
95 a check cashing business.

96 (d) The commissioner may issue more than one (1)
97 license to a person if that person complies with this article for
98 each license. A new license * * * is required upon a change,
99 directly or beneficially, in the ownership of any licensed check
100 casher business and an application shall be made to the
101 commissioner in accordance with this article.

102 (2) When a licensee wishes to move a check casher business
103 to another location, the licensee shall give thirty (30) days'
104 prior written notice to the commissioner who shall amend the
105 license accordingly.

106 (3) Each license shall remain in full force and effect until
107 relinquished, suspended, revoked or expired. With each initial
108 application for a license, the applicant shall pay the
109 commissioner at the time of making the application a license fee
110 of Seven Hundred Fifty Dollars (\$750.00), and on or before
111 September 1 of each year thereafter, an annual renewal fee of Four
112 Hundred Seventy-five Dollars (\$475.00). If the annual renewal fee
113 remains unpaid twenty-nine (29) days after September 1, the
114 license shall thereupon expire, but not before the thirtieth day
115 of September of any year for which the annual fee has been paid.
116 If any licensee fails to pay the annual renewal fee before the
117 thirtieth day of September of any year for which the renewal fee
118 is due, then the licensee shall be liable for the full amount of
119 the license fee, plus a penalty in an amount not to exceed
120 Twenty-five Dollars (\$25.00) for each day that the licensee has
121 engaged in business after September 30. All licensing fees and
122 penalties shall be paid into the Consumer Finance Fund of the
123 Department of Banking and Consumer Finance.

124 (4) Notwithstanding other provisions of this article, the
125 commissioner may issue a temporary license authorizing the
126 operator of a check casher business on the receipt of an
127 application for a license involving principals and owners that are
128 substantially identical to those of an existing licensed check

129 cashier. The temporary license is effective until the permanent
130 license is issued or denied.

131 * * *

132 **SECTION 4.** Section 75-67-507, Mississippi Code of 1972, is
133 reenacted as follows:

134 75-67-507. The provisions of this article shall not apply
135 to:

136 (a) Any bank, trust company, savings association,
137 savings and loan association, savings bank or credit union which
138 is chartered under the laws of this state or under federal law and
139 domiciled in this state.

140 (b) Any person who cashes checks at their face value
141 and does not charge the consumer a fee or otherwise receive any
142 consideration from the consumer.

143 (c) Any person principally engaged in the retail sale
144 of goods or services who, either as an incident to or
145 independently of a retail sale, may from time to time cash checks
146 for a fee, not exceeding three percent (3%) of the face amount of
147 the check or Ten Dollars (\$10.00), whichever is greater. However,
148 the fee shall be conspicuously posted for public view.

149 **SECTION 5.** Section 75-67-509, Mississippi Code of 1972, is
150 reenacted as follows:

151 75-67-509. To be eligible for a check cashier license, an
152 applicant shall:

153 (a) Operate lawfully and fairly within the purposes of
154 this article.

155 (b) Not have been convicted of a felony in the last ten
156 (10) years or be active as a beneficial owner for someone who has
157 been convicted of a felony in the last ten (10) years.

158 (c) File with the commissioner a bond with good
159 security in the penal sum of Ten Thousand Dollars (\$10,000.00),
160 payable to the State of Mississippi for the faithful performance
161 by the licensee of the duties and obligations pertaining to the

162 business so licensed and the prompt payment of any judgment which
163 may be recovered against the licensee on account of charges or
164 other claims arising directly or collectively from any violation
165 of the provisions of this article. The bond shall not be valid
166 until it is approved by the commissioner. The applicant may file,
167 in lieu of the bond, cash, a certificate of deposit or government
168 bonds in the amount of Ten Thousand Dollars (\$10,000.00). Those
169 deposits shall be filed with the commissioner and are subject to
170 the same terms and conditions as are provided for in the surety
171 bond required in this paragraph. Any interest or earnings on
172 those deposits are payable to the depositor.

173 (d) File with the commissioner an application for a
174 license and the initial license fee required in this article. If
175 applicant's application is approved, a check casher license will
176 be issued within thirty (30) days.

177 (e) Submit a set of fingerprints from any local law
178 enforcement agency. In order to determine the applicant's
179 suitability for license, the commissioner shall forward the
180 fingerprints to the Department of Public Safety; and if no
181 disqualifying record is identified at the state level, the
182 fingerprints shall be forwarded by the Department of Public Safety
183 to the FBI for a national criminal history record check.

184 (f) Complete and file with the commissioner an annual
185 renewal application for a license accompanied by the renewal fee
186 required in this article.

187 **SECTION 6.** Section 75-67-511, Mississippi Code of 1972, is
188 reenacted as follows:

189 75-67-511. Each application for a license shall be in a form
190 prescribed by the commissioner, signed under oath, and shall
191 include the following:

192 (a) The legal name, residence and business address of
193 the applicant and, if the applicant is a partnership, association
194 or corporation, of every member, officer and director thereof.

195 However, the application need not state the full name and
196 address of each shareholder, if the applicant is owned directly or
197 beneficially by a person which as an issuer has a class of
198 securities registered under Section 12 of the Securities and
199 Exchange Act of 1934 or is an issuer of securities which is
200 required to file reports with the Securities and Exchange
201 Commission under Section 15(d) of the Securities and Exchange Act,
202 provided that the person files with the commissioner such
203 information, documents and reports as are required by the
204 provisions of the Securities and Exchange Act to be filed by the
205 issuer with the Securities and Exchange Commission.

206 (b) The complete address of the location at which the
207 applicant proposes to engage in the business of cashing checks.

208 (c) Other data and information the department may
209 require with respect to the applicant, its directors, trustees,
210 officers, members or agents.

211 (d) Sworn financial statements of the applicant showing
212 a net worth of at least Twenty Thousand Dollars (\$20,000.00) for
213 the first license. The applicant shall possess and maintain a net
214 worth of at least Twenty Thousand Dollars (\$20,000.00) for the
215 first license and at least Five Thousand Dollars (\$5,000.00) for
216 each additional license.

217 **SECTION 7.** Section 75-67-513, Mississippi Code of 1972, is
218 reenacted as follows:

219 75-67-513. (1) Upon filing of an application in a form
220 prescribed by the commissioner, accompanied by the documents
221 required in this article, the department shall investigate to
222 ascertain whether the qualifications prescribed by Sections
223 75-67-509 and 75-67-511 have been satisfied. If the commissioner
224 finds that the qualifications have been satisfied and, if he
225 approves the documents so filed by the applicant, he shall issue
226 to the applicant a license to engage in the business of check
227 cashing in this state.

228 (2) The license shall be kept conspicuously posted in the
229 place of business of the licensee.

230 **SECTION 8.** Section 75-67-515, Mississippi Code of 1972, is
231 reenacted as follows:

232 75-67-515. (1) The department may adopt reasonable
233 administrative regulations, not inconsistent with law, for the
234 enforcement of this article.

235 (2) To assure compliance with the provisions of this
236 article, the department may examine the books and records of any
237 licensee without notice during normal business hours. The
238 commissioner may charge the licensee an examination fee in an
239 amount not less than Three Hundred Dollars (\$300.00) nor more than
240 Six Hundred Dollars (\$600.00) for each office or location within
241 the State of Mississippi plus any actual expenses incurred while
242 examining the licensee's records or books that are located outside
243 the State of Mississippi. However, in no event shall a licensee
244 be examined more than once in a two-year period unless for cause
245 shown based upon consumer complaint and/or other exigent reasons
246 as determined by the commissioner.

247 (3) Each licensee shall keep and use in its business any
248 books, accounts and records the department may require to carry
249 into effect the provisions of this article and the administrative
250 regulations issued under this article. Every licensee shall
251 preserve the books, accounts and records of its business for at
252 least two (2) years.

253 (4) Any fee charged by a licensee for cashing a check shall
254 be posted conspicuously to the bearer of the check before cashing
255 the check, and the fee shall be a service fee and not interest.

256 (5) Before a licensee deposits with any bank or other
257 depository institution a check cashed by the licensee, the check
258 shall be endorsed with the actual name under which the licensee is
259 doing business.

260 (6) All personal checks cashed for a customer by a licensee
261 shall be dated on the actual date the cash is tendered to the
262 customer.

263 (7) No licensee shall cash a check payable to a payee unless
264 the licensee has previously obtained appropriate identification of
265 the payee clearly indicating the authority of the person cashing
266 the check, draft or money order on behalf of the payee.

267 (8) No licensee shall indicate through advertising, signs,
268 billboards or otherwise that checks may be cashed without
269 identification of the bearer of the check; and any person seeking
270 to cash a check shall be required to submit reasonable
271 identification as prescribed by the department. The provisions of
272 this subsection shall not prohibit a licensee from cashing a check
273 simultaneously with the verification and establishment of the
274 identity of the presenter by means other than presentation of
275 identification.

276 (9) Within five (5) business days after being advised by the
277 payor financial institution that a check has been altered, forged,
278 stolen, obtained through fraudulent or illegal means, negotiated
279 without proper legal authority or represents the proceeds of
280 illegal activity, the licensee shall notify the department and the
281 district attorney for the judicial district in which the check was
282 received. If a check is returned to the licensee by the payor
283 financial institution for any of these reasons, the licensee may
284 not release the check without consent of the district attorney or
285 other investigating law enforcement authority.

286 (10) If a check is returned to a licensee from a payor
287 financial institution because there are insufficient funds in or
288 on deposit with the financial institution to pay the check, the
289 licensee or any other person on behalf of the licensee shall not
290 institute or initiate any criminal prosecution against the maker
291 or drawer of the personal check with the intent and purpose of

292 aiding in the collection of or enforcing the payment of the amount
293 owed to the check casher by the maker or drawer of the check.

294 (11) Nothing in this article shall prohibit a licensee from
295 issuing coupons to customers or potential customers which are
296 redeemable against a deferred deposit transaction provided the
297 redemption results in a financial benefit to the customer on
298 current or future transactions.

299 **SECTION 9.** Section 75-67-516, Mississippi Code of 1972, is
300 reenacted as follows:

301 75-67-516. A licensee shall not advertise, display or
302 publish, or permit to be advertised, displayed or published, in
303 any manner whatsoever, any statement or representation that is
304 false, misleading or deceptive.

305 **SECTION 10.** Section 75-67-517, Mississippi Code of 1972, is
306 reenacted as follows:

307 75-67-517. Notwithstanding any other provision of law, no
308 check cashing business licensed under this article shall directly
309 or indirectly charge or collect fees for check cashing services in
310 excess of the following:

311 (a) Three percent (3%) of the face amount of the check
312 or Five Dollars (\$5.00), whichever is greater, for checks issued
313 by the federal government, state government, or any agency of the
314 state or agency of the state or federal government, or any county
315 or municipality of this state.

316 (b) Ten percent (10%) of the face amount of the check
317 or Five Dollars (\$5.00), whichever is greater, for personal
318 checks.

319 (c) Five percent (5%) of the face amount of the check
320 or Five Dollars (\$5.00), whichever is greater, for all other
321 checks, or for money orders.

322 A licensee may not advance monies on the security of any
323 personal check unless the presenter attests that the check being
324 presented is drawn on a legitimate, open and active account.

325 Except as provided by Section 75-67-519, any licensee who cashes a
326 check for a fee shall deposit the check not later than three (3)
327 business days from the date the check is cashed.

328 **SECTION 11.** Section 75-67-519, Mississippi Code of 1972, is
329 reenacted as follows:

330 75-67-519. (1) A licensee may defer the deposit of a
331 personal check cashed for a customer for up to thirty (30) days
332 under the provisions of this section.

333 (2) The face amount of any delayed deposit check cashed
334 under the provisions of this section shall not exceed Four Hundred
335 Dollars (\$400.00). Each customer is limited to a maximum amount
336 of Four Hundred Dollars (\$400.00) at any time.

337 (3) Each delayed deposit check cashed by a licensee shall be
338 documented by a written agreement that has been signed by the
339 customer and the licensee. The written agreement shall contain a
340 statement of the total amount of any fees charged, expressed as a
341 dollar amount and as an annual percentage rate. The written
342 agreement shall authorize the licensee to defer deposit of the
343 personal check until a specific date not later than thirty (30)
344 days from the date the check is cashed.

345 (4) A licensee shall not directly or indirectly charge any
346 fee or other consideration for cashing a delayed deposit check in
347 excess of eighteen percent (18%) of the face amount of the check.

348 (5) No check cashed under the provisions of this section
349 shall be repaid by the proceeds of another check cashed by the
350 same licensee or any affiliate of the licensee. A licensee shall
351 not renew or otherwise extend any delayed deposit check.

352 (6) A licensee shall not offer discount catalog sales or
353 other similar inducements as part of a delayed deposit
354 transaction.

355 (7) A licensee shall not charge a late fee or collection fee
356 on any deferred deposit transaction as a result of a returned
357 check or the default by the customer in timely payment to the

358 licensee. Notwithstanding anything to the contrary contained in
359 this section, a licensee may charge a processing fee, not to
360 exceed an amount authorized by the commissioner, for a check
361 returned for any reason, including, without limitation,
362 insufficient funds, closed account or stop payment, if such
363 processing fee is authorized in the written agreement signed by
364 the customer and licensee. In addition, if a licensee takes legal
365 action against a customer to collect the amount of a delayed
366 deposit check for which the licensee has not obtained payment and
367 obtains a judgment against the customer for the amount of that
368 check, the licensee shall also be entitled to any court-awarded
369 fees.

370 (8) When cashing a delayed deposit check, a licensee may pay
371 the customer in the form of the licensee's business check or a
372 money order; however, no additional fee may then be charged by the
373 licensee for cashing the licensee's business check or money order
374 issued to the customer.

375 **SECTION 12.** Section 75-67-521, Mississippi Code of 1972, is
376 reenacted as follows:

377 75-67-521. (1) The commissioner may, after notice and
378 hearing, suspend or revoke a license if he finds that:

379 (a) The licensee, either knowingly, or without the
380 exercise of due care to prevent the same, has violated any
381 provision of this article;

382 (b) Any fact or condition exists which, if it had
383 existed or had been known to exist at the time of the original
384 application for the license, clearly would have justified the
385 commissioner in refusing the license;

386 (c) The licensee has aided, abetted or conspired with
387 an individual or person to circumvent or violate the requirement
388 of this article;

389 (d) The licensee, or a legal or beneficial owner of the
390 license, has been convicted of a felony, or has been convicted of

391 a misdemeanor that the commissioner finds directly relates to the
392 duties and responsibilities of the business of check cashing.

393 (2) The commissioner may conditionally license or place on
394 probation a person whose license has been suspended or may
395 reprimand a licensee for a violation of this article.

396 (3) The manner of giving notice and conducting a hearing as
397 required by subsection (1) of this section shall be performed in
398 accordance with procedures prescribed by the commissioner in rules
399 or regulations adopted under Mississippi Administrative Procedures
400 Law, Section 25-43-1 et seq.

401 (4) Any licensee may surrender any license by delivering it
402 to the commissioner with written notice of its surrender, but that
403 surrender shall not affect the licensee's civil or criminal
404 liability for acts committed prior thereto.

405 (5) The commissioner may reinstate suspended licenses or
406 issue new licenses to a person whose license or licenses have been
407 revoked if no fact or condition then exists which clearly would
408 have justified the commissioner in refusing originally to issue a
409 license under this article.

410 (6) The appropriate local law enforcement agency shall be
411 notified of any licensee who has his license suspended or revoked
412 as provided by this article.

413 (7) The commissioner shall enforce the provisions of this
414 section.

415 **SECTION 13.** Section 75-67-523, Mississippi Code of 1972, is
416 reenacted as follows:

417 75-67-523. The commissioner, or his duly authorized
418 representative, for the purpose of discovering violations of this
419 article and for the purpose of determining whether persons are
420 subject to the provisions of this article, may examine persons
421 licensed under this article and persons reasonably suspected by
422 the commissioner of conducting business which requires a license
423 under this article, including all relevant books, records and

424 papers employed by those persons in the transaction of their
425 business, and may summon witnesses and examine them under oath
426 concerning matters relating to the business of those persons, or
427 such other matters as may be relevant to the discovery of
428 violations of this article, including without limiting the conduct
429 of business without a license as required under this article.

430 **SECTION 14.** Section 75-67-525, Mississippi Code of 1972, is
431 reenacted as follows:

432 75-67-525. (1) Any person who engages in the business of
433 check cashing without first securing a license prescribed by this
434 article shall be guilty of a misdemeanor and upon conviction
435 thereof, shall be punishable by a fine not in excess of One
436 Thousand Dollars (\$1,000.00) or by confinement in the county jail
437 for not more than one (1) year, or both.

438 (2) Any person who engages in the business of check cashing
439 without first securing a license prescribed by this article shall
440 be liable for the full amount of the license fee, plus a penalty
441 in an amount not to exceed Twenty-five Dollars (\$25.00) for each
442 day that the person has engaged in the business without a license.
443 All licensing fees and penalties shall be paid into the Consumer
444 Finance Fund of the Department of Banking and Consumer Finance.

445 **SECTION 15.** Section 75-67-527, Mississippi Code of 1972, is
446 reenacted as follows:

447 75-67-527. (1) In addition to any other penalty which may
448 be applicable, any licensee or employee who willfully violates any
449 provision of this article, or who willfully makes a false entry in
450 any record specifically required by this article, shall be guilty
451 of a misdemeanor and upon conviction thereof, shall be punishable
452 by a fine not in excess of One Thousand Dollars (\$1,000.00) per
453 violation or false entry.

454 (2) Compliance with the criminal provisions of this article
455 shall be enforced by the appropriate law enforcement agency, which

456 may exercise for that purpose any authority conferred upon the
457 agency by law.

458 (3) When the commissioner has reasonable cause to believe
459 that a person is violating any provision of this article, the
460 commissioner, in addition to and without prejudice to the
461 authority provided elsewhere in this article, may enter an order
462 requiring the person to stop or to refrain from the violation.
463 The commissioner may sue in any circuit court of the state having
464 jurisdiction and venue to enjoin the person from engaging in or
465 continuing the violation or from doing any act in furtherance of
466 the violation. In such an action, the court may enter an order or
467 judgment awarding a preliminary or permanent injunction.

468 (4) The commissioner may impose a civil penalty against any
469 licensee adjudged by the commissioner to be in violation of the
470 provisions of this article. The civil penalty shall not exceed
471 Five Hundred Dollars (\$500.00) per violation and shall be
472 deposited into the Department of Banking and Consumer Finance,
473 "Consumer Finance Fund."

474 (5) Any licensee convicted in the manner provided in this
475 article shall forfeit the surety bond or deposit required in
476 Section 75-67-509(c) and the amount of the bond or deposit shall
477 be credited to the budget of the state or local agency which
478 directly participated in the prosecution of the licensee, for the
479 specific purpose of increasing law enforcement resources for that
480 specific state or local agency. The bond or deposit shall be used
481 to augment existing state and local law enforcement budgets and
482 not to supplant them.

483 **SECTION 16.** Section 75-67-529, Mississippi Code of 1972, is
484 reenacted as follows:

485 75-67-529. The provisions of this article are severable. If
486 any part of this article is declared invalid or unconstitutional,
487 that declaration shall not affect the parts which remain.

488 **SECTION 17.** Section 75-67-531, Mississippi Code of 1972, is
489 reenacted as follows:

490 75-67-531. Check cashers operating check cashing locations
491 in business as of July 1, 1998, shall have until September 30,
492 1998, to apply for a license under this article, and upon the
493 approval of the application, the commissioner shall grant a
494 license under this article.

495 **SECTION 18.** Section 75-67-533, Mississippi Code of 1972, is
496 reenacted as follows:

497 75-67-533. The commissioner shall develop and provide any
498 necessary forms to carry out the provisions of this article.

499 **SECTION 19.** Section 75-67-535, Mississippi Code of 1972, is
500 reenacted as follows:

501 75-67-535. Municipalities in this state may enact ordinances
502 which are in compliance with, but not more restrictive than, the
503 provisions of this article. Any existing or future order,
504 ordinance or regulation which conflicts with this provision shall
505 be null and void.

506 **SECTION 20.** Section 75-67-537, Mississippi Code of 1972, is
507 reenacted as follows:

508 75-67-537. The commissioner may employ the necessary
509 full-time employees above the number of permanent full-time
510 employees authorized for the department for fiscal year 1999, to
511 carry out and enforce the provisions of this article. The
512 commissioner may also expend the necessary funds to equip and
513 provide necessary travel expenses for those employees.

514 **SECTION 21.** Section 75-67-539, Mississippi Code of 1972,
515 which is a repealer on the Mississippi Check Cashers Act, is
516 repealed.

517 **SECTION 22.** This act shall take effect and be in force from
518 and after July 1, 2007.